

APPLICATION/APPEAL FORM

[For Completion by All Applicants]

Date 8/15/18

TO: ZONING BOARD OF ADJUSTMENT
CERRO GORDO COUNTY, IOWA

I (WE), Justin Stork
(NAME)

OF 821 NE Canterbury Dr. Ankeny IA 50021
(MAILING ADDRESS)

respectfully request that a determination be made by the Board of Adjustment on this Application/Appeal based on the letter written by the Zoning Administrator dated 7/17/18 for the reason that it was a matter which, in his/her opinion, should come before the Board of Adjustment.

This Application/Appeal is: (Please Check One)

- A Variance to a Zoning District requirement where there are unusual conditions or circumstances which cause a hardship when the provisions of Zoning are strictly applied.
- A Special Use listed in Article 20.2 of the Zoning Ordinance upon which the Board is required to act under the Ordinance.
- An Appeal where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of the Zoning Ordinance.

The property affected is located in Section _____ of _____ Township.

The property affected is zoned R3 according to the Cerro Gordo County Zoning

District Maps. Legal description of the property is: _____


Lot 8, Block 7, Crane and Hills

I am the Owner Contract Purchaser Other (Explain) _____
_____ of the property affected.

Describe what you are proposing to do on the property affected.
Build a deck 20' x 14' on the front
of my property attached to my house

I (We) grant permission to the Planning & Zoning staff and Board of Adjustment members to enter onto the above described property for purposes of review.

I (We) further state that if this request is granted, I (We) will proceed with the actual construction in accordance with the purposes herein stated and any conditions and/or requirements the Board of Adjustment may stipulate.

Signature of Applicant 

OFFICE USE ONLY

Date Filed _____ Case Number _____
Date Set for Hearing _____ Fee Paid _____
Application/Appeal was Granted Denied Tabled

VARIANCE CRITERIA SUPPLEMENTAL INFORMATION

Cerro Gordo County Zoning Board of Adjustment

[For completion by Variance Applicants Only]

This attachment is intended to supplement the Appeal to the Board of Adjustment Application for requests for variances. This attachment shall be submitted as a part of and attached to the Appeal Application and serve to enable the Board to make fair and equitable decisions. Failure to complete this form in its entirety may result in postponing the request until adequate information is submitted.

The Board of Adjustment shall authorize upon appeal, in specific cases, such variance from the terms of the Ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the Ordinance will result in unnecessary hardship, and so that the spirit of the Ordinance shall be observed and substantial justice done.

The Applicant shall be held responsible to provide adequate evidence that the literal enforcement of the Ordinance will result in unnecessary hardship. "Hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under the conditions allowed by the provisions of the Ordinance, the plight of the landowner is due to circumstances unique to his property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality.

The Board shall ensure that their decision shall not be contrary to the public interest, that the spirit of the Ordinance shall be observed, and substantial justice done.

Applicant(s) Dustin Stark

Type of Variance Requested Zoning District requirement

1. The land in question cannot yield a reasonable use for the following reasons:

the lot size is very tight. The proposed deck
is replacing an old deck and is inside the
width of the home

2. What is unique about this property compared to other properties in the vicinity?

Most of the property's on my block require
variance because of the size of the
zoned lots

3. Explain how the variance will fit in with the character of the area (i.e., size, height, scale, etc.):

This deck will mirror my neighbors house who had a deck the width of their house

4. The need for the variance cannot be attributed to the present or past property owner for the following reasons:

The new deck has a little higher width. So when we purchased the property we didn't keep exact dimensions of old deck

5. The Zoning Ordinance requirements have resulted in a need for a variance for the following reasons:

The deck is within the width of my home and with the small lot size cannot comply with current code.

6. The variance is in accord with the purposes and intent of the Zoning Ordinance and Comprehensive Plan for the following reasons:

Single family residence and adding a deck would maintain that residential

7. The variance will not impair the public health, safety and general welfare of the residents of the County for the following reasons:

This deck is off all lot lines and maintains a safe distance to the road.

I, Rush Stolt certify that

all of the above statements are true to the best of my knowledge and belief.

**Case No. 19-07
Dustin Stortz (5048 South Shore Drive)**

Figure 1

Looking at the deck



September 7, 2018, J. Robbins

Figure 2

Looking east along the front lot line (adjacent to South Shore Drive)



September 7, 2018, J. Robbins

Figure 3

Looking north along the west side lot line



September 7, 2018, J. Robbins

Figure 4

Looking north along the east side lot line



September 7, 2018, J. Robbins

Figure 5

Looking at the right-of-way between the pavement of South Shore Drive and the front lot line

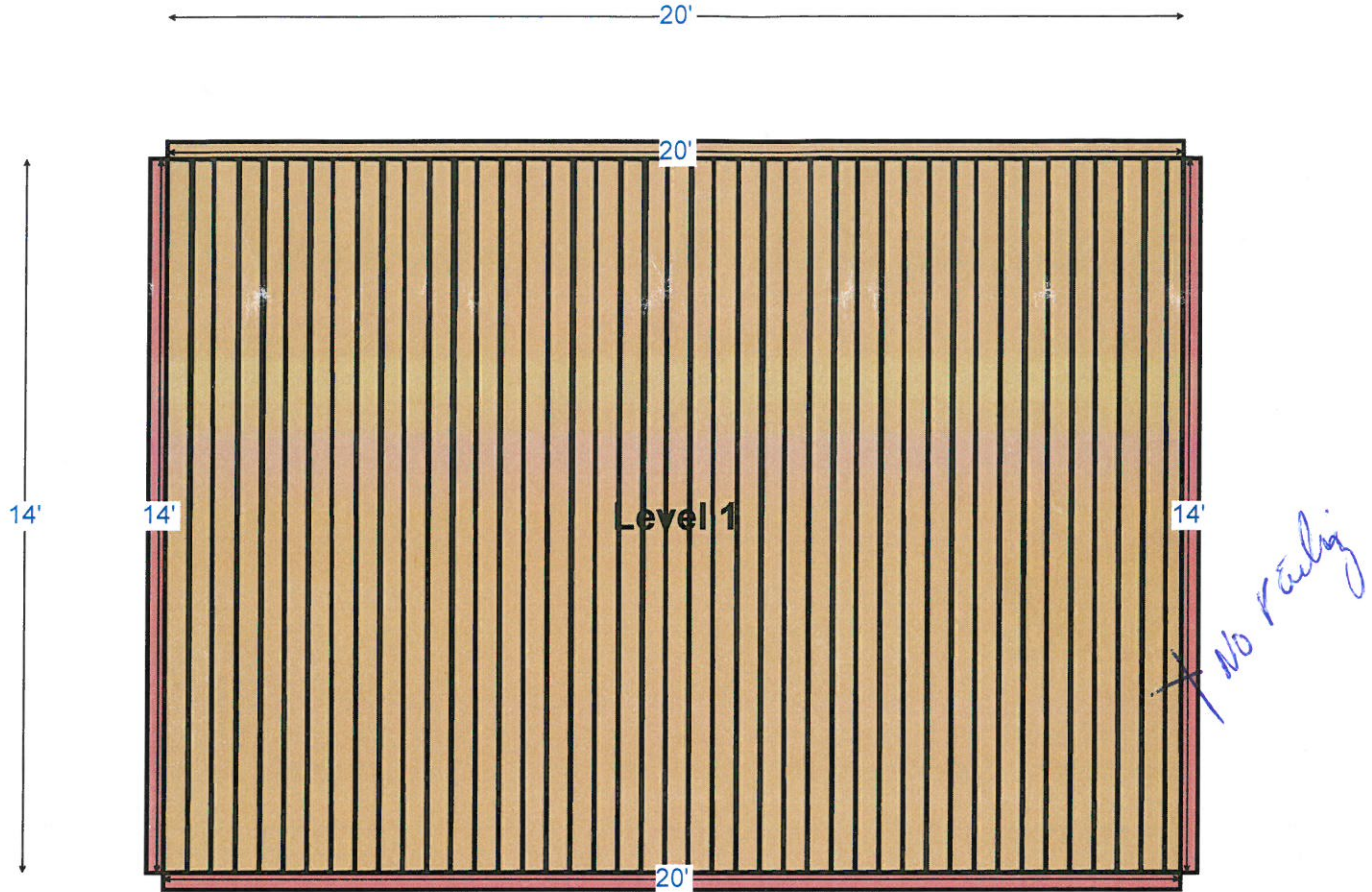


September 7, 2018, J. Robbins

CLARK ST.



SOUTH SHORE DR.



Estimated Price:

\$2,338.70

*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

Final design should be performed by a registered professional engineer to ensure all applicable building codes and regulations are met.

The Design ID can be used for recalling your design from Menards.com or one of our in-store Design-It kiosks. The Estimate ID can be used to purchase your items from the Menards location above.



Illustration intended to show general deck size and shape. Some options selected may not be shown for picture clarity.

\$2,338.70

Estimated Price:

*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

Final design should be performed by a registered professional engineer to ensure all applicable building codes and regulations are met.

This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF THE WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS.